

### **REMARKS/ARGUMENTS**

The Applicants originally submitted Claims 1-24 in the application. In the current response, the Applicants have amended Claims 1-3, 5-6, 9-11, 13-14, 17-19, and 21-22. Support for the amendment can be found, for example, in paragraphs 30 and 40-41 and Figures 2-3 of the original specification. No other claims have been canceled or added. Accordingly, Claims 1-24 are currently pending in the application.

#### **I. Rejection of Claims 1-3, 7-11, 15-16, 18-19, and 23-24 under 35 U.S.C. §102**

The Examiner has rejected Claims 1-3, 7-11, 15-16, 18-19, and 23-24 under 35 U.S.C. §102(e) as being anticipated by U.S. Patent Application Publication No. 2004/0136464 by Suh, *et al.* The Applicants respectfully disagree since Suh does not teach wherein at least one of a first preamble and second preamble employs a complete training sequence as recited in amended independent Claims 1 and 9.

The Examiner asserts that Suh teaches each element of independent Claims 1 and 9. (*See Examiner's Action* mailed January 25, 2007, pages 2-3.) Assuming *arguendo* the Examiner's assertion to be true, Suh does not teach wherein at least one of a first preamble and second preamble employs a complete training sequence as recited in amended independent Claims 1 and 9. Instead, as recognized by the Examiner, Suh discloses dividing a training sequence into even data (in a first preamble sequence) and odd data (in a second preamble sequence) for transmission by two different antennas. (*See Claim 7.*) Thus, Suh does not teach wherein at least one of a first preamble or second preamble employs a complete training sequence as recited in amended independent Claims 1 and 9.

and, as such, does not anticipate amended independent Claims 1 and 9 and Claims that depend thereon. Analogously, Suh does not disclose amended independent Claim 17 which includes wherein at least one of the first preamble and second preamble employs an undivided training sequence. Accordingly, the Applicants respectfully request the Examiner to withdraw the §102(e) rejection of Claims 1-3, 7-11, 15-16, 18-19, and 23-24 and allow issuance thereof.

## **II. Rejection of Claims 4, 12, and 20 under 35 U.S.C. §103**

The Examiner has rejected Claims 4, 12, and 20 under 35 U.S.C. §103(a) as being unpatentable over Suh in view of U.S. Patent Application Publication No. 2002/0057750 by Nakao, *et al.* The Applicants respectfully disagree.

As argued above, Suh does not teach wherein at least one of a first preamble and a second preamble employs a complete training sequence as recited in amended independent Claims 1 and 9. Additionally, Suh does not teach wherein at least one of the first preamble and second preamble employs an undivided training sequence as recited in amended independent Claim 17. Furthermore, Suh does not suggest the same. As the Examiner is no doubt aware, determination of obviousness requires there must be some suggestion or teaching in the art that would motivate one of ordinary skill in the art to arrive at the claimed invention; a reference that teaches away from a claimed invention strongly indicates nonobviousness. Since Suh teaches only a partial portion of a first or second preamble (either odd data or even data) is employed as a training sequence, it teaches away from a complete or undivided training sequence employed in a first or second preamble. One of ordinary skill in the art would not be motivated to use a complete or undivided training sequence in

Suh since Suh divides a training sequence into even and odd data to reduce a peak-to-average power ratio (PAPR). (See paragraphs 44-47, 49, 75, and 99.) As such, Suh does not teach or suggest each element of amended independent Claims 1, 9, and 17 and, therefore, does not establish a *prima facie* case of obviousness of these Claims and Claims that depend thereon. Accordingly, the Applicants respectfully request the Examiner to withdraw the §103(a) rejection of Claims 4, 12, and 20 and allow issuance thereof.

### **III. Rejection of Claims 5-6, 13-14, 17, and 21-22 under 35 U.S.C. §103**

The Examiner has rejected Claims 5-6, 13-14, 17, and 21-22 under 35 U.S.C. §103(a) as being unpatentable over Suh in view of U.S. Patent No. 7,110,350 to Li, *et al.* The Applicants respectfully disagree.

As argued above, Suh does not establish a *prima facie* case of obviousness of amended independent Claims 1, 9, and 17 and Claims that depend thereon. The Examiner states that Suh does not teach a generator wherein a first preamble employs a first training sequence and a second preamble employs a second training sequence orthogonal to the first training sequence, and that Suh does not teach first and second receivers, associated with first and second transmitters that employ first and second receive antennas, respectively, and cites Li to cure these deficiencies. (See Examiner's Action mailed January 25, 2007, pages 5 and 7.) The Applicants do not find where Li cures the above noted deficiency of Suh, nor has Li been cited to cure this deficiency of Suh but to teach the subject matter of dependent Claims 5-6, 13-14, and 21-22 and independent Claim 17. As such, the cited combination of Suh and Li does not establish a *prima facie* case of obviousness of

amended independent Claims 1, 9, and 17 and Claims that depend thereon. Accordingly, the Applicants respectfully request the Examiner to withdraw the §103(a) rejection of Claims 5-6, 13-14, 17, and 21-22 and allow issuance thereof.

#### **IV. Comment of References**

The Applicants reserve further review of the references cited but not relied upon if relied upon in the future.

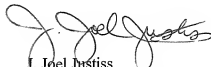
**V. Conclusion**

In view of the foregoing amendment and remarks, the Applicants now see all of the Claims currently pending in this application to be in condition for allowance and therefore earnestly solicit a Notice of Allowance for Claims 1-24.

The Applicants request the Examiner to telephone the undersigned attorney of record at (972) 480-8800 if such would further or expedite the prosecution of the present application. The Commissioner is hereby authorized to charge any fees, credits or overpayments to Deposit Account 20-0668.

Respectfully submitted,

HITT GAINES, PC

  
J. Joel Justiss  
Registration No. 48,981

Dated: April 24, 2007

P.O. Box 832570  
Richardson, Texas 75083  
(972) 480-8800